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Letter dated 4 January 2012 from the Permanent Representative of South Africa to the United Nations addressed to the President of the Security Council

I have the honour to transmit herewith a copy of the summary report of the joint workshop hosted by South Africa and Security Council Report on strengthening the relationship between the United Nations and the African Union in the maintenance of international peace and security, held on 12 December 2011 (see annex).

I would be grateful if the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Baso **Sangqu**
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Annex to the letter dated 4 January 2012 from the Permanent Representative of South Africa to the United Nations addressed to the President of the Security Council

Summary report of the joint workshop hosted by South Africa and Security Council Report on strengthening the relationship between the United Nations and the African Union in the maintenance of international peace and security: New York, 12 December 2011

Background and context

In preparation for the high-level Security Council debate on the relationship between the Security Council and regional organizations, in particular the African Union, which will be held during South Africa's presidency of the Security Council in January 2012, the Permanent Mission of South Africa to the United Nations and Security Council Report jointly hosted a workshop on 12 December 2011. Invited to the workshop were members of the Security Council as well as New York-based representatives of countries represented in the African Union Peace and Security Council and those currently chairing the five African regional economic communities. The African Union Commission was represented by its Permanent Observer to the United Nations, Tete Antonio. The Under-Secretaries-General for Political Affairs and Peacekeeping Operations, M. Lynn Pascoe and Hervé Ladsous respectively, were invited as participants.

The workshop was divided into two sessions, with one focusing on the current state of the partnership and lessons learned and the other on the way forward in exploring concrete ways to firmly establish the strategic relationship between the African Union and the United Nations.

Hereunder is a brief summary of the themes and recommendations from the workshop:

First session: the current state of the partnership and lessons learned

Institutionally: the primary responsibility of the Security Council in the maintenance of international peace and security was reaffirmed, while the important complementary role played by regional organizations, in particular the African Union, in line with Chapter VIII of the Charter of the United Nations, was endorsed. In this context, the two Secretariats have deepened their relationship at the institutional level. The United Nations has recently upgraded its representative office in Addis Ababa. Additionally, cooperation between the Special Envoy of the Secretary-General for the Sudan and South Sudan and the African Union High-level Implementation Panel is an example of the growing relationship where the two organizations are working collectively on resolving the challenges in the Sudan.

Despite these positive developments, challenges in this relationship, particularly at the legislative level (the Security Council and the African Union Peace and Security Council), remain. Since 2007, the annual meetings between the Security Council and the African Union Peace and Security Council have become the central feature of this relationship. Other than the annual meeting, there is no active engagement between the Security Council and the African Union Peace and Security Council. The annual meeting has the potential to move the relationship to a

more strategic direction. The meeting in May 2011 was a welcome development as it did focus on substantive issues. Despite the difficult nature of the 2011 meeting because of the divergent perspectives, there were positive engagements such as the discussions on Côte d'Ivoire, Libya, Somalia and the Sudan. These discussions assisted in developing an appreciation for the varying perspectives of the two Councils, which are often seized with the same issues on their respective agendas. It has illustrated that the United Nations and the African Union can get into substantive issues rather than procedural ones or general discussions on cooperation. The Security Council Ad Hoc Working Group on Conflict Prevention and Resolution in Africa meeting ahead of the annual discussions, in which members of the African Union Peace and Security Council were invited to engage with Council members prior to the visit, was also a welcome innovation to prepare for the meeting between the two Councils.

Operationally: the end of the Cold War witnessed an increase in the level of intra-State conflicts, and regional organizations such as the African Union have a distinct comparative advantage in addressing these challenges in complex environments. This necessitates stronger and strategic cooperation between the United Nations and regional bodies.

At the operational level, the United Nations Secretariat has been active in supporting the African Union peace and security architecture through the implementation of the 10-year capacity-building programme. Both organizations also benefit from the deployment of joint technical assessment missions. A further example of this cooperation is the hybrid model in the African Union-United Nations Hybrid Operation in Darfur and the cooperation on Somalia. The African Union has often been the first responder as it is less restricted than the United Nations in terms of its deployment in hostile environments such as Somalia and Darfur. The challenge, however, is to ensure that predictable and sustainable funding as well as logistical support is secured for these peacekeeping operations. In this regard, the Prodi report (A/63/666-S/2008/813) continues to provide invaluable and relevant insights in addressing these key challenges.

Chapter VIII challenges: despite Chapter VIII, the Charter of the United Nations did not envisage the growth of regional organizations which play a strategic role due to their proximity to conflict situations. Managing the relationship between the United Nations and regional organizations is crucial, in particular in areas where the Security Council has less comparative advantage, such as conflict prevention and mediation. The success achieved in Guinea demonstrates the advantage of such collaboration. In this regard, the principle of complementarity could be exploited within the context of Chapter VIII of the Charter.

No single model for cooperation: given the uniqueness of each conflict situation, experience has shown that there is no one-size-fits-all solution to conflict resolution.

Policy coordination and coherence: the Security Council and the African Union Peace and Security Council collaborate very closely in areas where there is convergence in their political views. However, the two Councils have not always been successful in managing situations where divergent political perspectives exist and this has not been conducive for fostering a strategic partnership. In this regard, recent differences, particularly on Libya and Côte d'Ivoire, were highlighted. The principle of subsidiarity, with respect to subregional and regional organizations and

the United Nations, was reaffirmed. Cherry-picking and selectively engaging regional and subregional organizations when it is convenient and politically expedient for the Security Council does not serve the collective interest of lasting peace and security. The two Councils must find a way of managing their differences.

Second session: the way forward in consolidating the relationship

Putting Chapter VIII into perspective: there is a need to understand and reflect on the role of regional organizations in the post-Cold-War era. Such a reflection would help in dealing with the psychological barrier that exists in this relationship. There is a need to develop a comprehensive perspective and envision a common understanding on the interpretation of the implementation of Chapter VIII.

The principle of comparative strength and advantage: it is necessary that the views or regional organizations such as the African Union are taken into account given their proximity to conflict situations.

Strengthen the annual joint meeting: in this context, the relationship can be enhanced through ongoing/year-round consultations in addition to the annual meetings. Regular interactions between the President of the Security Council and the Chair of the Peace and Security Council could also be encouraged. There is also a need to have closer interaction between the Security Council and representatives of the African Union Peace and Security Council in New York. The Ad Hoc Working Group on Conflict Prevention and Resolution in Africa should continue to be used as a platform to strengthen the relationship.

African ownership and national sovereignty: integral to the sustainability of peace initiatives are the principles of national ownership and sovereignty of States that ought to be respected. The attempts by those directly affected by the conflicts, including the region, should be taken into consideration.

Reporting lines: these important parameters should be clearly defined, especially when there is a joint mediator/representative.

Principle of subsidiarity: the role of regional and subregional organizations needs to be further reflected upon, especially with respect to their relationship with the Security Council. The differentiation between the African Union and subregional organizations on the continent may sometimes complicate the manner in which the Security Council conducts its relationship with Africa.

Policy coordination and coherence: the harmonization of policies between the two organizations could go a long way towards strategically dealing with conflict situations and preventing conflict in Africa. This is vitally important given the scarcity of resources.

Division of labour and productive burden-sharing: a clear division of labour should also be agreed to, based on corresponding responsibilities. In light of the different mandates of the two organizations, it is important to ensure that the burden of ensuring peace and security in Africa is shared proportionally.

Financial support: in light of the substantial peace and security challenges and the limited resources to address such challenges, the African Union could benefit from flexible, predictable and sustainable financial support from the United Nations and other international institutions/stakeholders.

Capacity-building: capacity-building of the African Union should continue in the context of the ongoing 10-year capacity-building programme.

No one size fits all: regional organizations can be much more flexible compared with universal bodies such as the United Nations. Collective approaches should be adapted to different situations depending on strategic and operational requirements. It has been clear, especially over the last few years, that the two organizations will not always agree, but the two Councils, assisted by the two Secretariats, must work to minimize divisions in pursuit of similar goals on peace and security on the continent.